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EXAMINER

JOHNS, CHRISTOPHER C

ART UNIT	PAPER NUMBER
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3621

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ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/765,730	Applicant(s) MILLER ET AL.	
	Examiner CHRISTOPHER C. JOHNS	Art Unit 3621	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 June 2010.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,6 and 9-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,5,6 and 9-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input checked="" type="checkbox"/> Other: <u>EAST Search Notes</u> . |

DETAILED ACTION

Acknowledgements

1. This Office Action is given Paper No. 20100804 for reference purposes only.
2. This Office Action is in response to Applicants' Response of 1 June 2010 ("June 2010 Response"). The June 2010 Response contained, inter alia, claim amendments and remarks ("June 2010 Remarks").
3. Unless otherwise noted, citations to Applicants' specification refer to citations in Applicants' U.S. Patent Application Publication 2004/0210453 ("Applicants' specification").
4. Claims 1, 2, 5, 6, and 9-13 are pending.
5. Claims 1, 2, 5, 6, and 9-13 have been examined.

Claim Objections

6. Claims 1 and 10 are objected to because of the following informalities: the claims recite "presenting the image to an operator" before a mention of any "image" has been made. The Examiner assumes that this is supposed to read "an image of the document" or a similar recitation.
7. Appropriate correction is required.

Claim Rejections - 35 USC § 112 1st Paragraph

8. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

9. Claims 1, 2, 5, 6, and 9-13 are rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. The claims contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor, at the time the application was filed, had possession of the claimed invention.

10. Claim 1 recites “an input unit, containing an opening.” Neither the original specification, nor the original claims, nor the drawings (as originally filed) contain support for an “input unit” which contains an “opening.” Applicants’ specification, at [0017], and figure 1, reference 1, contain support for an “input unit.” Applicants’ specification, at [0003] and [0004], contains support for an “opening.” However, neither the specification nor drawings contain support for an “input unit containing an opening.” If these structures refer to the same device, this should be recited in the claims. Claim 10 recites a similar structure and is therefore rejected for similar reasons.

11. Claim 1 recites “accepting the document as positively authenticated... and maintaining the document in the intermediate storage.” Neither the original specification, nor the original claims, nor the drawings (as originally filed) contain support for “maintaining the document in the intermediate storage” as a result of “accepting the document as [being] positively authenticated”. Applicants’ specification, at [0003], notes that “banknotes or vouchers are verified and maintained in intermediate storage until the amount of the means payment ... corresponds to or exceeds the amount of the ticket.” However, Applicants’ claim language implies that even after the amount of means payment exceeds the amount of the ticket, the document will be maintained in intermediate storage (because Applicants’ “recited maintaining

the document in the intermediate storage” does not recite that said maintaining is only done until the amount of payment exceeds or equals the ticket amount). Because “accepting the document as positively authenticated... and maintaining the document in the intermediate storage” was not necessarily present in the original disclosure, the claimed limitation is considered new matter.

See MPEP §2163 II. A. 3. (b). Claim 10 recites a similar step and is therefore rejected for similar reasons.

12. Claim 1 recites “wherein the visual verification includes at least one of accepting the document...maintaining the document ... refusing acceptance ...[and] feeding the document.” Neither the original specification, nor the original claims, nor the drawings (as originally filed) contain support for the “visual verification [including] accepting...maintaining...refusing [or] feeding.” While the specification contains support for “accepting” ([0006]), “maintaining” ([0003]), “refusing” ([0017]), and “feeding” ([0002], original claim 1), the specification does not contain support for the “visual verification [including]” these actions. Claim 10 contains a similar recitation and is therefore rejected for similar reasons. Because wherein the visual verification includes at least one of accepting the document ... maintaining the document ... refusing acceptance ... [and] feeding the document” was not necessarily present in the original disclosure, the claimed limitation is considered new matter. See MPEP §2163 II. A. 3. (b).

13. Claim 10 recites “storage for positively authenticated documents.” Neither the original specification, nor the original claims, nor the drawings (as originally filed) contain support for a “storage for positively authenticated documents.” There is support for “an intermediate storage” [0003] but not for a “storage for positively authenticated documents.” Because “storage for

positively authenticated documents” was not necessarily present in the original disclosure, the claimed limitation is considered new matter. See MPEP §2163 II. A. 3. (b).

Claim Rejections - 35 USC § 112 2nd Paragraph

14. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

15. Claims 1, 2, 5, 6, and 9-13 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention.

16. Claim 1’s recitation of “wherein the visual verification includes at least one of accepting the document when the document passes the visual verification” (page 3, lines 1-6) renders the claim indefinite because a person having ordinary skill in the art would not understand the meaning of this phrase.

17. First, based upon the claim wording itself, the Examiner finds that Applicants are attempting to define “visual verification” (page 3, line 1, June 2010 Response) by reference to or including of “the visual verification” (page 3, lines 2-3). As a matter of logic, the Examiner finds that defining a term based upon the same term is circular reasoning. See definition below. Because defining a term based upon the same term is circular reasoning and because claim 1 defines “visual verification” at least in part upon “visual verification,” Applicants’ attempt at defining “visual verification” in claim 1 (on page 3 line 1) is circular. Because Applicants’ attempt at defining “visual verification” in the claim is circular, the metes and bounds of “visual verification” or the structure of “visual verification” can not be reasonably determined. To

overcome this particular 35 U.S.C. § 112, second paragraph rejection, the Examiner suggests defining “visual verification” in the claim *without* the use of “visual verification” in the body of the definition. Claim 10 contains a similar recitation (page 4, lines 25+) and is therefore rejected for similar reasoning.

18. Claim 1’s recitation of “releasing the document for further processing, the further processing comprising at least one of: accepting...and maintaining; and presenting...” (page 2, line 20+) renders the claim indefinite because a person having ordinary skill in the art would not understand the metes and bounds of the “further processing.” Specifically, because the clauses following “further processing” recite “accepting...and maintaining...; and presenting,” a person having ordinary skill in the art would not understand whether only “accepting [and] maintaining” are part of the “further processing,” or whether the step of “presenting” would also be part of the “further processing.” Because a person having ordinary skill in the art’s attempt to interpret the claim language would result in two or more structurally dissimilar interpretations, the claim language is indefinite. As such, the USPTO is justified in requiring the Applicant to more precisely define the metes and bounds of the claimed invention. See *Ex parte Miyazaki*, 89 USPQ2d 1207, 1211 (BPAI 2008). For further guidance on this matter, see page 2, ¶1 of “Indefiniteness rejections under 35 U.S.C. 112, second paragraph (signed 2 September 2008),” located at the USPTO’s website: <http://www.uspto.gov/web/patents/memoranda.htm>. Claim 10 contains a similar recitation (page 4, lines 18+) and is therefore rejected for similar reasons.

19. Claim 1’s recitation of “visual verification includes at least one of... accepting...and maintaining...and refusing...and feeding” (page 3, lines 1-6) renders the claim indefinite because a person having ordinary skill in the art would not understand how the act of “visual

verification” would include “accepting,” “maintaining,” “refusing,” or “feeding.” [0010] of Applicants’ specification notes that during a visual verification, “the document can be presented to an operator.” [0011] of Applicants’ specification notes that “visual verification can be conducted as a function of the value of the document.” [0012] of Applicants’ specification notes alternatively that “visual verification can be conducted as a function of authentication certainty.” However, given these recitations, a person having ordinary skill in the art would not understand how the steps of “accepting,” “maintaining,” “refusing,” or “feeding” could be “[included]” in the process of “visual verification.” If anything, the Examiner suggests that the steps of “accepting,” “maintaining,” “refusing,” or “feeding” could be results of the “visual verification.” Claim 10 contains a similar recitation (page 4, line 25 - page 5, line 3) and is therefore rejected for similar reasoning.

20. The Examiner finds that because the claims are indefinite under 35 U.S.C. §112, 2nd paragraph, it is impossible to properly construe claim scope at this time. However, in accordance with MPEP §2173.06 and the USPTO’s policy of trying to advance prosecution by providing art rejections even though claims may be indefinite, the claims are construed and the prior art is applied as much as practically possible.

Claim Rejections - 35 USC § 103

21. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

22. Claims 1, 2, 5, 6, and 9-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Applicants' Admitted Prior Art ("APA") in view of U.S. Patent Application Publication 2003/0059098 ("Jones").

23. As per claim 1, APA discloses:

24. providing a sales machine ([0003] - "a sales machine") configured for selling public transportation tickets ([0003] - "a sales machine for selling tickets for public transportation");

25. sales machine configured to facilitate purchase of goods/services by a customer against payment of a document as cash in the form of banknotes or vouchers ([0003] - "banknotes or vouchers are verified and maintained...");

26. providing the sales machine with a verification unit ([0004] - "a verification unit"), wherein the verification unit is configured for authenticating the document ([0004] - "a verification unit, in which the document is authenticated");

27. providing the sales machine with an intermediate storage ([0003] - "intermediate storage") configured to maintain documents accepted until the amount of the document corresponds to or exceeds the amount of the ticket ([0003] - "individual means of payment such as banknotes or vouchers are verified and maintained in intermediate storage until the amount of the means payment that have been inserted corresponds to or exceeds the amount of the ticket");

28. feeding the document to the verification unit by means of an input unit ([0004] - "transport mechanism"), containing an opening into which the document can be inserted individually ([0004] - "the same...opening");

29. authenticating the document ([0004] - "document is authenticated and released for further processing").

30. APA does not explicitly disclose:
31. authenticating the document, wherein said authenticating the document is performed with a combination of at least two different verification methods;
32. comparing the at least two verification methods with verification specifications;
33. determining a probability of authenticity of the document;
34. releasing the document for further processing, comprising accepting the document as positively authenticated when the probability meets predetermined criteria, and maintaining the document in the intermediate storage;
35. presenting the image to an operator for visual verification by the operator when the probability does not meet the predetermined criteria and the document is negatively authenticated;
36. visual verification includes at least one of accepting the document when the document passes the visual verification and maintaining the document in the intermediate storage;
37. refusing acceptance when the document does not pass the visual verification, and ejecting the document;
38. visual verification also including recording the document as an image.
39. Jones teaches:
40. authenticating the document ([0060] - “other counterfeit tests are run on the bill”), wherein said authenticating the document is performed with a combination of at least two different verification methods ([0060] - “other counterfeit tests...may include UV tests, infrared tests, thread tests, and magnetic tests”);

41. comparing the at least two verification methods (tests against currency are inherently compared against test standards, because this is how tests work - e.g. [0060] - “the image itself may be tested by comparing the image to an image of a ‘genuine’ bill...” with verification specifications ([0060] - “an image of a ‘genuine’ bill”);
42. determining a probability of authenticity of the document ([0060] - “if the currency bill fails...if the currency bill passes all other tests” - if the currency bill fails all tests, there is a zero percent probability that it is valid; if the currency bill passes one or more tests, there is a greater-than-zero percent probability that it is valid);
43. releasing the document for further processing, comprising accepting the document as positively authenticated when the probability meets predetermined criteria ([0060] - “if the currency bill passes all other tests, it proceeds to step **280** and the image is stored in a memory”), and maintaining the document in the intermediate storage ([0060] - “if the currency bill passes all other tests...the currency bill is transported to an output receptacle at step **282**”);
44. presenting the image to an operator for visual verification by the operator when the probability does not meet the predetermined criteria and the document is negatively authenticated ([0070] - “suspect counterfeit bill...[transported] to an output receptacle...operator may inspect the bill...”);
45. visual verification includes at least one of accepting the document when the document passes the visual verification and maintaining the document in the intermediate storage ([0060] - “if the currency bill passes all other tests...the currency bill is transported to an output receptacle at step **282**”);

46. refusing acceptance when the document does not pass the visual verification (figure 3d, Flag Bill as Suspect Counterfeit **250**), and ejecting the document (figure 3c, Transport Bill to Output Receptacle **255**);

47. visual verification also including recording the document as an image (figure 3c, Store Image in Memory **280**).

48. The various authentication mechanisms are used by Jones in order to more quickly process payment mechanisms, such as cash. [0002] notes that “in general, it is important that counterfeit currency bills are discovered quickly and accurately” - creating a system where less counterfeit money is accepted as payment for goods and services. This creates a more profitable system for its owners because the owners are less likely to accept money that they cannot legally use themselves.

49. Therefore, it would have been obvious to a person having ordinary skill in the art to include in the Admitted Prior Art the authentication mechanisms as taught by Jones since the claimed invention is merely a combination of old elements, and in the combination, each element merely would have performed the same function as it did separately. A person having ordinary skill in the art would have recognized that the results of the combination were predictable, as well as advantageous because it would create a more profitable system for its owners.

50. The Examiner finds that claim 10 is not patentably distinct from claim 1. Claims 1 and 10 are directed to related processes. The related inventions are distinct if: (1) the inventions as claimed are either not capable of use together or can have a materially different design, mode of operation, function, or effect; (2) the inventions do not overlap in scope, i.e., are mutually

exclusive; and (3) the inventions as claimed are not obvious variants. See MPEP § 806.05(j). In the instant case, the inventions as claimed are not distinct because they are mere variations of one another - claim 1's "intermediate storage" is not distinct from claim 10's "storage for positively authenticated documents" because they perform substantially the same method steps. Furthermore, the inventions overlap in scope because the only difference between them is the above-noted concept of "storage." Finally, the inventions cannot have materially different modes of operation - the only difference between the two claims is the name given to the "intermediate storage" in claim 10. Therefore, because the claims are not patentably distinct, the patentability of claim 10 stands or falls with claim 1.

51. As per claim 2, AAPA in view of Jones discloses as above, and further discloses:

52. wherein the two verification methods are selected from the group comprising magnetic verification (Jones, [0060] - "magnetic tests"), infrared verification (Jones, [0060] - "infrared tests"), UV verification (Jones, [0060] - "UV tests"), visual verification (Jones, [0070] - "operator may inspect the bill"), image verification (Jones, [0071] - "view the image on the screen...operator may then, at step 262b, choose whether to accept or reject the check").

53. As per claim 5, AAPA in view of Jones discloses as above, and further discloses:

54. visual verification method is performed only on documents of a desired value (only documents which are entered into the system in Jones are scanned - currency and the like which are not provided to the system are not verified).

55. As per claim 6, AAPA in view of Jones discloses as above, and further discloses:

56. visual verification method is performed via direct visual authentication of the image of the document (Jones, [0066] - “displayed on a screen for an operator”).

57. As per claim 9, AAPA in view of Jones discloses as above, and further discloses:

58. operator consists of an entity other than the consumer (Jones, [0049] - “An operator inserts a currency bill 135 into the input receptacle 110. In this application, the term "operator" refers to...[an]other entity utilizing the system...”).

59. As per claim 11, AAPA in view of Jones discloses as above, and further discloses:

60. wherein the two verification methods are selected from the group comprising magnetic verification (Jones, [0060] - “magnetic tests”), infrared verification (Jones, [0060] - “infrared tests”), UV verification (Jones, [0060] - “UV tests”), visual verification (Jones, [0070] - “operator may inspect the bill”), image verification (Jones, [0071] - “view the image on the screen...operator may then, at step 262b, choose whether to accept or reject the check”).

61. As per claim 12, AAPA in view of Jones discloses as above, and further discloses:

62. visual verification method is performed only on documents of a desired value (only documents which are entered into the system in Jones are scanned - currency and the like which are not provided to the system are not verified).

63. As per claim 13, AAPA in view of Jones discloses as above, and further discloses:

64. operator consists of an entity other than the consumer (Jones, [0049] - “An operator inserts a currency bill 135 into the input receptacle 110. In this application, the term "operator" refers to...[an]other entity utilizing the system...”).

Additional Findings of Fact

65. The Examiner finds that [0002] of Applicants' specification contains descriptions of the known prior art, because [0002] notes that “in trade a variety of payment systems, especially machines, are known...”. Specifically, [0002] notes that:

- a. “in trade a variety of payment systems, especially machines, are known with which a customer can purchase goods and/or services against payment by cash, vouchers or the like.”
- b. [0002] further notes that the “known” machines “[accept] the means of payment, [verify] its value and validity, and [feed] an authenticated means of payment to a storage device in which this means of payment is stored.”
- c. [0002] further notes that the “known” machines are “frequently used for the purchase of tickets, for example for public transportation...”

66. The Examiner finds that [0003] of Applicants' specification contains descriptions of the known prior art, because [0003] notes that “sales machine[s] for selling tickets for public transportation” are the “known payment systems” mentioned in [0002]. Specifically, [0003] notes that:

- d. these “known payment systems...generally [contain] an opening into which the means of payment can be inserted individually and consecutively.”

e. [0003] further notes that in these “known payment systems,” the “individual means of payment such as banknotes or vouchers are verified and maintained in intermediate storage until the amount of the means payment that have been inserted corresponds to or exceeds the amount of the ticket.”

67. The Examiner finds that [0004] of Applicants’ specification contains descriptions of the known prior art, because [0004] makes reference to the “known methods”. Specifically, [0004] notes that:

f. in the previously-mentioned payment systems, “the document or the banknote is transported into the inside of the machine by means of a transport mechanism, and is fed to a verification unit, in which the document is authenticated and released for further processing,” further noting that “an invalid document is rejected via the same or a separate opening.”

68. The Examiner finds that Applicants’ specification does not mention that the known prior art in [0002]-[0004] is work previously done by the Applicants.

69. The Examiner finds that because [0002]-[0004] of Applicants’ specification contains descriptions of the known prior art, and because the known prior art descriptions in [0002]-[0004] are not noted to be work previously done by the Applicants, the descriptions of prior art in [0002]-[0004] can be relied upon for both anticipation and obviousness determinations, regardless of whether the admitted prior art would otherwise qualify as prior art under the statutory categories of 35 U.S.C. 102. See MPEP §2129.

70. The Examiner finds that U.S. Patent Application Publication 2001/0050314 (“Lee”) teaches a system that is usable for an “express bus ticket sales system” ([0048]) where users are

able to insert cash in a cash inserting slot ([0034]) and the cash is verified by the use of a banknote verifying means (figure 4, **251**).

Claim Interpretation

71. The Examiner hereby adopts the following definitions under the broadest reasonable interpretation standard. In accordance with *In re Morris*, 127 F.3d 1048, 1056, 44 USPQ2d 1023, 1029 (Fed. Cir. 1997), the Examiner points to these other sources to support her interpretation of the claims. Additionally, these definitions are only a guide to claim terminology since claim terms must be interpreted in context of the surrounding claim language. Finally, the following list is not intended to be exhaustive in any way:

- g. ***Circular***: “being or involving reasoning that uses in the argument or proof a conclusion to be proved or one of its unproved consequences.” Merriam-Webster’s Collegiate Dictionary, 10th Edition. Merriam-Webster Incorporated, Springfield, MA, 1997.
- h. ***Configure***: “To initialize a device so that it operates in a particular way. For instance, a customer may configure a device so the device never requests data link confirmations, using a variety of mechanisms (e.g. parameters in NVRAM, parameters in ROM, dip switches, or hardware jumpers).” The Authoritative Dictionary of IEEE Standards Terms, 7th Ed., IEEE, Inc., New York, NY, 12/2000.
- i. ***Configuration***: “(1) (A) The arrangement of a computer system or component as defined by the number, nature, and interconnection of its constitute parts. ... (C) The physical and logical elements of an information processing system, the manner in which

they are organized and connected, or both. *Note*: May refer to a hardware configuration or software configuration.” The Authoritative Dictionary of IEEE Standards Terms, 7th Ed., IEEE, Inc., New York, NY, 12/2000.

j. ***Facilitate***: “to make easier: help bring about.” Merriam-Webster’s Collegiate Dictionary, 10th Edition. Merriam-Webster Incorporated, Springfield, MA, 1997.

k. ***For***: “1 a -- used as a function word to indicate purpose... b -- used as a function word to indicate an intended goal” Webster’s Ninth New Collegiate Dictionary, Merriam-Webster Inc., Springfield MA, 1986.

l. ***To***: “2a -- used as a function word to indicate purpose, intention, tendency, result, or end.” Webster’s Ninth New Collegiate Dictionary, Merriam-Webster Inc., Springfield MA, 1986.

72. After careful review of the original specification, the Examiner finds that he can not locate any lexicographic definitions (either express lexicographic definitions or implied lexicographic definitions) with the required clarity, deliberateness, and precision. See MPEP §2111.01 IV.

73. The Examiner finds that because the examined claims (*i.e.* claims 1, 2, 5, 6, and 9-13) recite neither “step for” nor “means for,” the examined claims fail Prong (A) as set forth in MPEP §2181 I. Because all examined claims fail Prong (A) as set forth in MPEP §2181 I., the Examiner concludes that all examined claims do not invoke 35 U.S.C. §112, 6th paragraph. See also *Ex parte Miyazaki*, 89 USPQ2d 1207, 1215-16 (B.P.A.I. 2008)(precedential).

Response to Arguments

74. Applicants' arguments with respect to the claims have been considered but are moot in view of the new ground of rejection. Because Applicants are arguing that Greene in view of Jones does not teach "providing a sales machine...providing the sales machine with an intermediate storage...feeding the document," etc (June 2010 Remarks, pages 3-4), Applicants argue limitations that were not previously in the claims. Because these arguments have been fully addressed in this Office Action (notably by applying Applicants' Admitted Prior Art as disclosed in their specification), the arguments are overcome.

75. **Applicants argue:** that Jones is inappropriate because, "in Jones...the customer himself authenticates the document for fraud or counterfeit" and attempts to contrast this with his amended claim language in claims 9 and 13 ("operator consists of an entity other than the customer").

76. **Examiner's response:** The Examiner disagrees.

77. Jones clearly teaches, in [0049], that "operator" may refer to a customer of the bank **or** another "entity utilizing the system". Therefore, because Jones teaches that the operator may, in fact, not be the customer, Applicants' arguments are unconvincing.

Conclusion

78. Applicants' amendment, filed on 1 June 2010, necessitated the new grounds of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicants are reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

79. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 C.F.R. § 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

80. Applicants are respectfully reminded that any suggestions or examples of claim language provided by the Examiner are just that—suggestions or examples—and do not constitute a formal requirement mandated by the Examiner. To be especially clear, any suggestion or example provided in this Office Action (or in any future office action) does not constitute a formal requirement mandated by the Examiner.

m. Should Applicants decide to amend the claims, Applicants are also reminded that—like always—no new matter is allowed. The Examiner therefore leaves it up to Applicants to choose the precise claim language of the amendment in order to ensure that the amended language complies with 35 U.S.C. § 112 1st paragraph.

n. Independent of the requirements under 35 U.S.C. § 112 1st paragraph, Applicants are also respectfully reminded that when amending a particular claim, all claim terms must have clear support or antecedent basis in the specification. See 37 C.F.R. §

1.75(d)(1) and MPEP § 608.01(o). Should Applicants amend the claims such that the claim language no longer has clear support or antecedent basis in the specification, an objection to the specification may result. Therefore, in these rare situations where the amended claim language does not have clear support or antecedent basis in the specification and to prevent a subsequent ‘Objection to the Specification’ in the next office action, Applicants are encouraged to either (1) re-evaluate the amendment and change the claim language so the claims do have clear support or antecedent basis or, (2) amend the specification to ensure that the claim language does have clear support or antecedent basis. See again MPEP § 608.01(o) (¶3). Should Applicants choose to amend the specification, Applicants are reminded that—like always—no new matter in the specification is allowed. See 35 U.S.C. § 132(a). If Applicants have any questions on this matter, Applicants are encouraged to contact the Examiner via the telephone number listed below.

81. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to CHRISTOPHER C. JOHNS whose telephone number is (571)270-3462. The Examiner can normally be reached on Monday, Tuesday, Thursday, and Friday, 9 am to 5 pm.

82. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner’s supervisor, Andrew Fischer can be reached on (571) 272-6779. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

83. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Christopher C Johns/
Examiner, Art Unit 3621

/EVENS J. AUGUSTIN/
Primary Examiner, Art Unit 3621